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August 16, 2024

**VIA ECF**

The Honorable John P. Cronan, U.S.D.J.  
United States District Court for the Southern  
District of New York  
500 Pearl Street, Room 1320  
New York, New York 10007

Re: ***Gartenberg et al. v. Cooper Union for the Advancement of Science and Art, 1:24-cv-02669-JPC***

Dear Judge Cronan:

We represent Plaintiffs in the above-referenced case.

On July 3, 2024, Defendant Cooper Union for the Advancement of Science and Art ("Defendant") filed a Motion to Dismiss and Motion to Strike Plaintiffs' Complaint ("Motion"). On July 31, 2024, Plaintiffs filed their Opposition to Defendant's Motion. Pursuant to Section 2.B. of Your Honor's Individual Rules, we seek leave to file a brief surreply to address the following three decisions, the first of which was issued one day before Plaintiffs filed their Opposition and the other two were issued after Plaintiffs filed their Opposition:

- *StandWithUs Ctr. For Legal Justice v. Massachusetts Inst. of Tech.*, 2024 WL 3596916 (D. Mass. July 30, 2024)
- *Kestenbaum v. President and Fellows of Harvard College*, 2024 WL 3658793 (D. Mass. Aug. 6, 2024)
- *Frankel et al. v. Regents of the University of California, et al.*, 2024 WL 3811250 (C.D. Cal. Aug. 13, 2024)

Defendant refers to all three recent decisions in its August 14, 2024 reply brief. Plaintiffs believe that a surreply will aid in the Court's consideration of the issues raised in Defendant's motion.

We appreciate the Court's consideration of this request.

Respectfully,

A handwritten signature in blue ink that reads "Aaron Stiefel".

Aaron Stiefel

Copies to: All counsel of record via ECF

The request is granted. Plaintiffs may file a surreply of no more than ten pages on or before September 2, 2024.

SO ORDERED.

Date: August 19, 2024  
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN  
United States District Judge